ERICK L. GUZMAN
California Bar No. 244391
FEDERAL DEFENDERS OF SAN DIEGO, INC.
225 Broadway, Suite 900
San Diego, CA 92101-5008
Telephone: (619) 234-8467
Erick_Guzman@fd.org

Attorneys for Mr. Palos

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

(HONORABLE JEFFREY T. MILLER)

UNITED STATES OF AMERICA, Plaintiff, v. **RICARDO PALOS,** Defendant.	Case No. 08CR0547-JM DATE: April 11, 2008 TIME: 11:00 A.M. NOTICE OF MOTIONS AND MOTIONS TO: 1) DISMISS COUNT ONE OF THE INDICTMENT FOR VINDICTIVENESS; 2) SUPPRESS EVIDENCE FROM THE ILLEGAL VEHICLE SEARCH IN AUGUST 2007; 3) SUPPRESS EVIDENCE FROM THE ILLEGAL VEHICLE STOP IN FEBRUARY 2008; 4) DISMISS THE INDICTMENT DUE TO MISINSTRUCTION TO THE GRAND JURY; 5) SUPPRESS STATEMENTS; 6) PRESERVE AND INSPECT EVIDENCE; 7) COMPEL DISCOVERY; AND 8) GRANT LEAVE TO FILE FURTHER MOTIONS

TO: KAREN P. HEWITT, UNITED STATES ATTORNEY; AND
A. DALE BLANKENSHIP, ASSISTANT UNITED STATES ATTORNEY:

PLEASE TAKE NOTICE that, on April 4, 2008 at 11:00 a.m., or as soon thereafter as counsel may be heard, defendant, Ricardo Palos-Marquez, by and through his attorneys, Erick L. Guzman, and Federal Defenders of San Diego, Inc., will ask this Court to enter an order granting the following motions.

MOTIONS

Defendant, Ricardo Palos-Marquez, by and through his attorneys, Erick L. Guzman, and Federal Defenders of San Diego, Inc., asks this Court, pursuant to the United States Constitution, the Federal Rules of Criminal Procedure, and all other applicable statutes, case law, and local rules, for an order to:

(1) Dismiss Count One of the Indictment for Vindictiveness;

(2) Suppress Evidence From the Illegal Vehicle Search in August 2007;

(3) Suppress Evidence from the Illegal Vehicle Stop in February 2008;

(4) Dismiss the Indictment Due to Misinstruction to the Grand Jury;

(5) Suppress Statements;

(6) Preserve and Inspect Evidence;

(7) Compel Discovery; and

(8) Grant Leave to File Further Motions.

These motions are based upon the instant motions and notice of motions, the attached statement of facts and memorandum of points and authorities, the files and records in the above-captioned matter, and any and all other materials that may come to this Court's attention prior to or during the hearing of these motions.

Respectfully submitted,

DATED: April 1, 2008

/s/ ERICK L. GUZMAN
ERICK L. GUZMAN
Federal Defenders of San Diego, Inc.
Attorneys for Mr. Palos-Marquez
Erick_Guzman@fd.org